

**MADISON COUNTY PLANNING BOARD
MEETING MINUTES
MAY 30, 2006**

BOARD MEMBERS PRESENT: Lane Adamson, Pat Bradley, John Lounsbury, Dave Maddison, Bill Olson, Eileen Pearce, Ed Ruppel, Laurie Schmidt, Ann Schwend and MaryLou Freese.

BOARD MEMBERS ABSENT: Dorothy Davis.

OTHERS PRESENT: County Commissioner Ted Coffman, Tim Gress, Jack Reints, Bill Roylance, Betty Staley, Craig Staley, Mary Oliver, Maureen Cheney Curnow, Kathy Carpenter, Randy Green, Kitty Brown, Troy White, Andy Hupe, Art Hoffart, Rocky Hermanson and Chris Murphy.

President Bill Olson called the meeting to order at 6:05 p.m.

MOTION: To approve the minutes of the April 24, 2006 meeting as amended. **Moved by:** John Lounsbury. **Seconded by:** Lane Adamson. **All voted aye.**

President's Comments: None

Public Comment: None

OLD BUSINESS:

Development Impact Fees

- Paul Tischler of Tischler-Bice, a consulting firm which deals with the aspects of development impact fees, will be hired by the county to do a feasibility study, conduct interviews within the county staff to determine the needs of the county based on growth. \$9800 is allocated for this project and a meeting with him on June 14 from 1-4 is scheduled. He is in the information-gathering stage of the process. He will be under the gun to complete a feasibility study in one month, but has agreed to try to do so. A longer study would take approximately 6-9 months at which time the county would have to advertise for competitive bids because the project would then fall into that economic cost bracket. John Lounsbury will attend the meeting with commissioners and Tischler along with Doris.

Madison Growth Solutions

- Lane reported that the next forum will occur Wednesday, May 31 from 1-4 p.m. and Thursday, June 1, from 6-9 p.m. at the Firehall in Ennis. Both work sessions will be to determine a plan of action.

Housing Plan/Growth Policy Update Process

- Staci reported that there have been housing meetings in Ennis and Twin Bridges, and growth policy meetings in Sheridan and Twin Bridges. There will also be growth policy meetings in Harrison, Big Sky and possibly Virginia City. The housing meetings already held revealed that there is a shortage of rentals, need for low income senior housing and a need for housing rehabilitation in Twin Bridges. The groups also discussed the loss of agriculture. The attendance at the meetings was from 15-20 people.
- The last Growth Solutions meeting weighed in on how the county is doing as to growth. A conclusion met by the polls is that the county is very fortunate to have Doris working in the planning field for the county. Ted Coffman reiterated that to be the case and that the county commissioners are well aware of her importance and ability and are grateful for it.

NEW BUSINESS

Big Sky Zoning—Discussion

- Bill has been asked by some entities and people in Big Sky to mention this topic to the Planning Board. He expressed the opinion that citizen-initiated zoning in Big Sky would be very difficult to orchestrate. It would have to be county-initiated. He agreed that most of the land has been divided and is under development already. There remain two issues:
 1. Secondary residences on primary residence lots and how to deal with this.
 2. Ridgeline development.
- Most homeowners' associations cover a lot of the zoning questions and concerns.
- The board discussed whether or not Madison County could at least follow the zoning format already in place in Gallatin County. It was agreed to get a copy of the Gallatin County zoning to take a look at it. The BSOA is in favor of Madison County matching what Gallatin County does with zoning at Big Sky.
- It might be possible to coordinate with the homeowners' associations to require a land use permit. This might include geotech assessment requirements, fire access/water supply, and building inspection.
- This could be asked of the BSOA at a Growth Policy meeting.
- This could be approached in 3 ways:
 1. County Commissioners could ask of the Planning Board to study the idea of zoning.
 2. Planning Board could initiate the study.
 3. Landowners could initiate the study.
- It was decided that the discussion at Big Sky re: Growth Policy Update would include discussion on zoning.

Proposed Planning Office Budget and Work Plan, FY '06-'07

Discussion Points:

- Doris proposed the idea of the Planning Board contracting with an hydrologist to explore water supply and stricter standards in development areas. There would be \$2000 to \$3000 to allocate to this.
- Consensus was that the money is not adequate for the task.
- Could include a building inspector for the county.
- Building inspector for the county would be a huge liability for the county.
- We can't be all-endowed with protecting people. Better to state that there are concerns without making the actual determination.
- MCA allows for standard with;
 1. public hearing
 2. study/analysis for stricter standard
- We won't have data for several more years. Can we adopt a stricter standard due to lack of information. We don't know the long term effects.
- Doris reported that the budget needs more work. Revenues have increased by 54% and higher fees will have to be enacted in order to help sustain the staff and work load. A revised fee schedule is coming.

Review of Proposed Preliminary Plat, Mill Creek Minor Subdivision, Sheridan (John O'Rourke, landowner; Bill Roylance, subdivider)

Project previously received preliminary plat approval. The preliminary plat time period expired and is now being renewed. It is for a 5 lot residential subdivision.

Planning Board questions and comments:

1. Will you include the four suggestions from Doris for covenants, ie. downcast lighting, wildlife friendly fencing, no livestock grazing and pet containment?
Yes.
2. Well and sanitation sites will dictate building envelopes.

MOTION: To recommend approval of the subdivision with Doris' conditions. Moved by: Dave Maddison. **Seconded by:** Ann Schwend. **All voted aye.**

PLANNING BOARD RECOMMENDATION

Based on the subdivision application, staff report with Proposed Findings of Fact, May 30, 2006 public meeting, and subsequent review and discussion, the Planning Board recommends preliminary plat approval be granted to Mill Creek Minor Subdivision, subject to the conditions listed below.

[Standard Conditions]

1. Any and all adopted State and County requirements and standards which apply to this proposed minor subdivision must be met unless otherwise waived for cause by the governing body.
2. A notarized declaration of "Right to Farm" and "Emergency Services Information" (Appendix T. of November 2000 Madison County Subdivision Regulations) must be filed with the final plat.
3. The final plat must be accompanied by a certification by a licensed title abstractor showing the owners of record, the names of any lienholders or claimants of record against the land, and the written consent to the subdivision from any lienholders or claimants of record against the land.
4. All road, ditch, and utility easements (or rights-of-way) shall be clearly shown and labeled on the final plat.
5. Future modification of any elements shown on the plat may not be made without County review and approval.

[Additional site-specific conditions]

6. Prior to final plat approval, DEQ must approve all lots for water, sewer, solid waste, and storm drainage.
7. Prior to any construction requiring sanitation, a Madison County septic permit must be obtained for the lot being built on.
8. The Mill Creek Road encroachment permits shall be recorded at or before the time of final plat approval.
9. Prior to final plat approval, each lot must be assigned a *temporary* physical address that complies with the Madison County addressing and Emergency 911 system (The actual house address sign may be installed as the tract is developed.)
10. The Marsh Lane road maintenance agreement shall be executed and recorded with the final plat.
11. The final plat shall include a statement whereby lot owners waive their right to protest any special improvement district or rural improvement district designed to make community sewer, community water, or County road improvements deemed necessary by the Town and/or Madison County to protect public health and safety.

To ensure compliance with the conditions listed above, the final plat and accompanying documents shall be submitted to the County Planning Office, prior to final plat approval by the Board of Madison County Commissioners and recording by the Madison County Clerk and Recorder.

If the preliminary plat is approved, the landowner shall have three calendar years from the date of County Commission approval to apply for final plat approval. The landowner may request a time extension of preliminary plat approval, but such request must be received in writing thirty (30) days prior to the three-year expiration date, in accordance with p. 22 of the Madison County Subdivision Regulations.

Review of Request to Lift Agricultural Easement, Jeffers (Pauline Brown, landowner)

Request withdrawn by landowner.

Public Comment: None

NEW BUSINESS

Planning Board Member Reports-None

Planning Staff Report-Sent in packets.

Other-

Doris reported that the Subdivision Regulation revision committee should meet again to discuss changes. It was determined that they would meet June 8 from 2:00 to 4:00 (time later changed to 3:00 to 4:30).

Pre-Application Packets- Questions, Comments

- a. Gress Minor Subdivision (lot split), Ennis**
 - 1. No comment
- b. Sadler Minor Subdivision (lot split), Twin Bridges**
 - 1. No comment
- c. Reints Minor Subdivision (4 lots), Jeffers**
 - 1. No comment
- d. Bear Creek Estates Subdivision (12 lots), Cameron**
 - 1. Developers-Lot dimensions have not changed.
 - 2. Are the lot lengths the same as in the pre-application drawings?
 - a. Yes.
 - 3. The ratio of 3:1 cannot be exceeded in the length to width of the lots.
 - 4. Trying to keep skinny lots in order to allow for open space.
 - 5. Has anyone from the Conservation District been working with you regarding bridges over Bear Creek?
 - a. No. Barb from the US Army Corp of Engineers was on site.
 - b. She is not with the Corps, but is a private consultant.
 - 6. Your plan for fencing needs to be clarified. Also need to put in deed restrictions.
- e. Yellowstone Club Lot 155-A-1 Minor Subdivision (lot split), Big Sky**
 - 1. No comment
- f. Overlook Estates Subdivision (7 lots), Yellowstone Club at Big Sky**
 - 1. This qualifies as a major subdivision. It was land that was bought back

by YMC.

g. Morning Sun Ridge, (5 lots), Ennis

1. Steep road access off of Highway 287. It is being looked at to conform to county standards.
2. Cul de sac would have an emergency access easement connecting to the subdivisions in the area.
3. Could subdividers connect it to city water and sewer? They would have to go under the highway.

h. Upland Meadows Subdivision, (6 lots), Laurin

1. Craig Staley, a neighbor to the east of the property, said that part of land was used for a number of years as a dump site.
2. He also reported that part of the land is a wildlife migration corridor, mainly for whitetail deer and antelope.
3. There are concerns about ground water availability.
4. Some of the geology on the lots is adverse to building and a rocky escarpment exists.
5. It doesn't sound like horse pasture with the rocky terrain.
6. What is the use of the land in the area?
 - a. Mostly larger pieces.
7. Question from the audience- Is Mill Gulch Rd. up to county standards?
8. Weeds are a very big issue up there.
9. A cultural study may be necessary due to the proximity to the Laurin cemetery.
10. Are the covenants against any further splitting of lots?
 - a. Yes.
11. Will there be established building envelopes?
 - a. Yes.
12. Irrigation is proposed for some of the property. Anything above the ditch won't be irrigated.
13. The developer will meet with NRCS to determine which lots can support horses.
14. Perhaps there should be a test well done for water availability.
15. Land would lend itself to sprinkler irrigation as the land needs water to grow anything.
16. The property has some wetlands and rangelands on it.
17. The board determined that a field trip should be scheduled for this project after more information becomes available.

Pat requested that if anything comes up with any pre-application that Doris might be concerned about, if she could red-flag it for the board.

Additional Comments/Questions

Update on Elk Creek Ranch
It will be offered as a five lot minor subdivision.

The meeting adjourned at 8:21 p.m. The next regular meeting of the Planning Board will be June 26, 2006.

William J. Olson, President

**Marilee Foreman-Tucker
Secretary**